

THAW'S MENTAL STATE AGAIN UP IN COURT

Justice Stapleton Signs Habeas Corpus Writ to Start an Inquiry.

HEARING BEGINS FRIDAY

Specialists Not Formerly in the Case Express Belief That Thaw Is Sane.

A new judicial inquiry into the mental condition of Harry K. Thaw is to be held before Supreme Court Justice Stapleton in Brooklyn under a writ of habeas corpus issued yesterday by Justice Stapleton on a petition by Clarence J. Shearn, counsel for Mrs. Mary C. Thaw.

The writ directs Dr. John W. Russell, medical superintendent at Matteawan, to produce Thaw in court on Friday next. The application was made in Brooklyn because it is in the same judicial district as Dutchess county, in which Matteawan is situated, and because Justice Morschauser, now holding court in Dutchess county, is disqualified because his brother, Charles Morschauser, is one of counsel in the case.

Mrs. Thaw says in her petition that recently she caused an examination to be made of her son by eminent physicians who are experts in the study of mental and nervous diseases, and she is advised by them that Harry K. Thaw is suffering from no mental disease at present and is sane.

Mrs. Thaw says that the physicians who so reported are Dr. Adolf Meyer, professor of mental diseases at Johns Hopkins and formerly director of the Pathological Institute of the New York State Hospital for the Insane; Dr. Frederick Peterson, professor of nervous and mental diseases at Columbia University and former president of the State Commission in Lunacy; Dr. Charles K. Mills, professor of neurology at the University of Pennsylvania and former president of the American Neurological Association; Dr. William A. White, superintendent of the United States Government Hospital for the Insane at Washington, D. C., and professor of mental diseases at Georgetown, and Dr. George W. Jacoby, former president of the New York Neurological Society.

The petition of Mrs. Thaw says that she will produce the sworn statements of these physicians in court to support her application for her son's release. Concerning these reports she says:

"Dr. William A. White sums up and concludes the results of his examination by stating:

"I am convinced that at the present time he is not suffering from any form of mental disease, and I so make affidavit."

"Dr. George W. Jacoby thus sums up the results of his examination:

"Basing my judgment not only upon my personal study and observation of Thaw, but upon the complete hospital record and the report of the extended examination of the acting superintendent, Dr. John W. Russell, I am unequivocally of the opinion that Mr. Thaw is not suffering from any form of mental disease and that he is now sane."

"Dr. Adolf Meyer, Dr. Frederick Peterson and Dr. Charles K. Mills sum up and conclude the result of their joint examination by stating:

"In our judgment he is sane and should be released. We see nothing in his condition to lead us to believe that his being at large would result in any danger to himself or to the community."

Clarence J. Shearn, counsel for Mrs. Thaw, explained in an affidavit why he had made the application before Justice Stapleton instead of in Dutchess county and said that there had been no judicial inquiry concerning Thaw's mental condition since one was conducted before Justice Mills in Westchester county in 1908.

Mr. Shearn said that "powerful interests have been at work since the last hearing three years ago, and a large fund of money has been spent for a motive that may some time be made plain, to keep Thaw incarcerated whether sane or insane." He says that Thaw was not sent to Matteawan for punishment but for treatment.

"The only question is that of his sanity," said Mr. Shearn. "There can be no valid objection to having this fairly and impartially determined after an interval of three years, during which he has been patient, uncomplaining and has submitted to unrestricted examination at the hands of the finest men, irrespective of whether at the instance of the State authorities or on behalf of his devoted mother."

The writ was served at Matteawan yesterday, where it was said that Supt. Russell has not assumed a position one way or the other concerning Thaw's present condition.

MEN AND RELIGION CLASSES.

Day Meeting Followed by Night School for 2,200 Laymen.

Twenty-two hundred laymen interested in the Men and Religion movement went to school in New York last night. The school had eighteen centers and the more than two thousand men were the volunteer workers in Methodist, Baptist, Presbyterian and Congregational churches of Manhattan and the Bronx, with one from the Lutheran and Episcopal churches. The program taught were the Bible, evangelism, boy welfare, social service, missions and community extension.

Twelve of the school centers were in churches in Manhattan and six in churches in the Bronx. The men attending last night were not simply listeners as at a public mass meeting, but were learners required to take notes. Questions were put and answered. The classes were fairly evenly divided, with somewhat more than a hundred men in each. The men are leaders in their churches and were finding out how to put into their local work new and improved ideas and plans. The classes continue in the New York and Bronx, with some subjects to-night and to-morrow night, and on Thursday night all assemble for a final session in Carnegie Hall.

Yesterday all Monday preachers' meetings were abandoned and 800 men, almost all of them ministers, met in the Marble Collegiate Church in Fifth avenue. The ministers came from Brooklyn and New Jersey, as well as Manhattan and the Bronx. President Finley and Fred B. Smith, president of the Rev. David Lathrop, taking on community extension, explained that it meant going out into communities with the Gospel without waiting for people to come to church. The Rev. Dr. J. J. Lansing and the Rev. Dr. M. E. Burdett spoke of the spiritual endeavor as a necessary part of social and all other work. Fred B. Smith said New York churches, their ministers and people are further apart, less given to cooperation, than are those of any other city. He said the reason is not that men that different conditions here make closer acquaintance, but that to one's own job, home and family one knows less.



MAYOR DISCOURSES ON SUNDAY DRINKING

If We Were of One Mind Against It There'd Be None, He Tells Lutheran Ministers.

IF SHADES AREN'T DOWN

Come and Tell Him—Also Mr. Barnes of Albany Shouldn't Talk of a Wide Open Town.

Mayor Gaynor attended the meeting of the Lutheran Ministers' Association in the West Twenty-third street Y. M. C. A. yesterday morning, and in an address that lasted for nearly an hour told the ministers that he had no political affiliations which gave politicians the inside track at City Hall and explained why it is that a more adequate enforcement of the excise law is impossible.

The Rev. William Horn, president of the association, in introducing the Mayor said that while all the ministers hadn't voted for him yet they were united in approval of his work and had asked him to their meeting so that he might tell them how to help him.

"I need not be reminded that you didn't all vote for me, and those who didn't can settle with their own consciences whether they are sorry now or not," said the Mayor. "I'm not much interested in what Mr. Barnes of Albany has to say about open conditions here. If things were with us as they are in Albany there would be an uprising right away. I haven't been influenced by any political leaders in making appointments. I have no quarrel with the political leaders because there is no need, and it wouldn't do any good. We treat each other courteously."

"I have been in reform work for many years and have tried since I became Mayor to work with anybody who wanted to do good and had a programme for doing it. Having been in reform work I was in a position to make appointments to suit myself, and I have suited myself. The Twenty-six heads of departments—some were Republicans and some Democrats—are all good men and have been honest. Can you show me one that hasn't done well?"

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in Great Britain, and most of the inebriate asylums that used to flourish in the State have had to shut up shop because there was nobody to occupy them.

DIX SIGNS REVISED FISH AND GAME BILL

Laws Are Simplified and the Conflicting Features Eliminated.

THIRTY MORE PROTECTORS

New Office Created and Board Is Empowered to Act as Seems Best.

ALBANY, April 15.—The revised fish and game law signed to-day by Gov. Dix fulfills the promise to make the law more uniform, more sensible and more understandable. Sportsmen and landowners had been invited to lend their assistance in providing for more hunting and fishing.

With the exception of Long Island, having climatic conditions differing from the rest of the State, the fish and game laws have been simplified and conflicting features have been eliminated.

Thirty more game protectors are provided for at a salary of \$900 a year each, making a total of 125 in all. The office of Superintendent of Inland Fisheries is created.

Power is reposed in the commission to give additional protection to fish and game in localities where it is deemed necessary to do so. The commission also is empowered to grant licenses to take deleterious fish at all seasons of the year in any of the waters of the State, thus providing an efficient means of making warfare upon harmful species.

The deer law provides that only two bucks having horns not less than three inches in length may be taken by one hunter from October 1 to November 15 inclusive. The possession of venison is allowed from October 1 to November 15 inclusive. Venison may also be possessed from November 21 to January 1 inclusive provided a license is obtained from the commission and deer and venison are tagged under rules to be prescribed.

There is no open season for moose, elk, caribou or antelope. Black and gray squirrel may be taken and possessed from September 16 to October 31 inclusive, except on Long Island, where the season is from November 1 to December 31 inclusive. The killing of squirrels within the corporate limits of cities or villages is prohibited. The bag limit is five squirrels on one day. Varying hours may be taken and possessed from November 1 to January 31 inclusive. Cottontail rabbits may be taken

and possessed from October 1 to December 31 inclusive. The use of ferrets is prohibited, but the owners or occupants of enclosed or occupied farms and lands or a person duly authorized in writing by such owner or occupant may take in any manner at any time varying hours and cottontail rabbits which are injuring property. Hares and rabbits may be bought and sold during the open season.

Beaver—Open season, November 1 to March 1 inclusive. Skunk—Open season, November 1 to January 31. Muskrat—Open season, November 10 to April 10.

Ducks, geese and brant—Open season, September 16 to January 15. There is no open season for wood duck and swan.

The bag limit is twenty-five water fowl in the aggregate of all kinds in one day, except to be both blind one or battery occupied by two or more persons.

Rails, American coots, mud hens and gallinules—Open season, September 16 to December 31, bag limit of fifteen to a person; twenty to a boat or blind occupied by two or more persons.

Quail and woodcock—Open season, October 1 to November 15. Six quails may be taken in one day and thirty-six in the open season.

FOR ANOTHER SANE FOURTH.

Mayor Gaynor Names Old Committee to Carry Out Plans.

Mayor Gaynor has arranged to have another "safe and sane" celebration of the Fourth of July this year. He has reappointed all the members of the committee which served last year who carried out the plans for the commemoration in each of the Aldermanic districts. There are some vacancies by deaths and removals from the city, but the Mayor will fill these places in the next few days. The committee met yesterday in the City Hall to organize. Herman Ridder was again chosen chairman.

Mayor Gaynor made a short address to the committee, in the course of which he said: "Now I do not want to say anything about the character of the celebration. But you will have both. Some were greatly pleased last year with the local celebrations that you had all over the city—taking the school houses to some extent and the churches as centres. And others on the contrary say they want an old-fashioned Fourth of July. They do not say firecrackers and all that seems to have been dropped pretty thoroughly. I am not going to urge anything upon you about that, but you will have both of either. I suppose if you have the general celebration these local celebrations will still have to be preserved, because the city is so vast that it can hardly satisfy the community by having only one grand parade, say in front of the City Hall. But I am not going to say that. You will have to decide that for yourselves, but I am sure that the committee, for your judgment on that subject will be much better than mine."

UNITED STATES HARMED BY INRUSH OF ITALIANS

Right to Stop Being Everybody's Asylum, Commissioner Williams Says.

MUST SIFT MORE CLOSELY

W. R. Thayer Holds That Immigration Should Have Been Checked Long Ago.

William Roscoe Thayer, who has studied the Italian and written about him, and Commissioner of Immigration William Williams, both told the Society for Italian Immigrants yesterday afternoon that the time has come when greater restrictions must be placed on Italian immigration to this country.

Mr. Thayer struck the members of the society as being rather pessimistic with respect to the benefits to be derived from the kind of immigration this country is getting, and Commissioner Williams said frankly that the idea of the United States being an asylum for the unfortunate of Europe ought to be given up.

"This very large Italian immigration may be meat or it may be poison to the body politic," said Mr. Thayer, "and it depends on us to a large extent which. I believe we long ago reached the point where immigration should stop and this nation should take time to digest the big meal of which it has partaken. The Italian immigrant first created this problem of assimilation, and it is becoming more difficult."

"We haven't shown the capacity to assimilate these people. We have lowered our standards and find ourselves with twenty race problems to settle instead of one. We have denatured our democracy. Commissioner Williams said that this country's first duty is to itself and that there is no reason for helping the immigrants should be sifted more carefully and that the parsimony of Congress in providing for the immigration authorities is contemptible. The school authorities are constantly calling attention, he said, to the large number of feeble minded children of foreign immigrants, but he deemed it impossible to detect these feeble minded persons with the inadequate supply of doctors and detention quarters. I think the danger in this large Italian

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case was not finished.